

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Clare Mikesh,

Civil No. 03-5752 (RHK/JSM)

Plaintiff,

ORDER

v.

Gale A. Norton, Secretary U.S. Department
of Interior,

Defendant.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Janie S. Mayeron dated February 7, 2006. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein, **IT IS ORDERED**:

1. The Report and Recommendation (Doc. No. 37) is **ADOPTED**; and
2. Defendant's Motion to Dismiss, Alternatively for Summary Judgment (Doc. No. 15) is **GRANTED**.

Dated: March 6, 2006

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge